

APPROVED and SO ORDERED.  
ENTER: 8/23/17

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

  
JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

IN RE: COOK MEDICAL, INC.  
PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION

MDL No. 2440  
Honorable Joseph R. Goodwin

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**ELIZABETH AYERDIS,**  
*Plaintiff,*

v.

**COOK MEDICAL INC., ET AL.,**  
*Defendants.*

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**CASE NO. 2:16-cv-08256**

**MOTION TO TRANSFER MDL**

**COMES NOW** the plaintiff, by and through the undersigned counsel, and moves the court to transfer this member case from MDL 2440, In re: Cook Medical, Inc. Pelvic Repair System Products Liability Litigation, to:

MDL 2327 Ethicon, Inc. Pelvic Repair System Products Liability Litigation

Plaintiff herein filed a Complaint or Short Form Complaint in MDL 2440 against Cook Medical, Inc. and others. Plaintiff later filed an Amended Short Form Complaint that no longer included Cook Medical, Inc. or another named defendant in that litigation; included instead, among others, were the following parties from MDL 2327:

Ethicon, Inc. and Johnson & Johnson



Because Cook Medical, Inc. or another defendant named in the Master Complaint, is no longer a named defendant in this member case, Plaintiff respectfully request that the Court:

- 1) **GRANT** the Plaintiff's motion to transfer this civil action from MDL 2440 to 2327; and
- 2) direct the Clerk to disassociate this civil action as a member case in MDL 2440 and re-associate it with MDL 2327.

Respectfully submitted,

/s/ J. Steve Mostyn

J. Steve Mostyn

Mark Sparks

**MOSTYN LAW FIRM**

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**ATTORNEYS FOR PLAINTIFF**

### **CERTIFICATE OF SERVICE**

I hereby certify that on August 16, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

/s/ J. Steve Mostyn

J. Steve Mostyn